

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT EARL BIGGS, II,

Defendant.

CR-14-108-GF-BMM

ORDER

Defendant Robert Earl Biggs, II, has moved for early termination of his current term of supervised release. (Doc. 41). The Government opposes early termination of Biggs's supervised release. (Doc. 44). The Court conducted a hearing on Biggs's motion on December 1, 2020. (Doc. 45). The Court determined that it would grant Biggs's motion if he could continue to comply with his supervised release conditions until January 4, 2021. *Id.* The Court accordingly withheld issuing a final order. For the reasons below, the Court will grant Biggs's motion.

Biggs pleaded guilty to possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1). (Docs. 17 & 21). The Court sentenced Biggs to 57 months imprisonment followed by three years of supervised release. (Doc. 32). Biggs's supervised release commenced on July 19, 2019.

Federal law authorizes a defendant to move for termination of his supervised release after successfully completing one year if the Court is satisfied that such action remains “warranted by the conduct of the defendant and the interests of justice.” 18 U.S.C. § 3564(c) The Court must consider the factors in 18 U.S.C. § 3553(a) when evaluating whether to terminate a term of supervised release.

The record reflects that Biggs has complied substantially with his supervision conditions. Biggs has demonstrated that he is able to conform his conduct to the law. Biggs has changed his lifestyle to address the Court’s obligations. Biggs does not pose a threat to the community. The factors in 18 U.S.C. § 3553 support an early termination of supervised release.

Accordingly, **IT IS ORDERED:**

1. Biggs’s Motion for Early Termination of Supervised Release
(Doc. 41) is **GRANTED**.

DATED this 4th day of January, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court